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May 10, 2011

VIA FEDERAL EXPRESS

The Honorable Thomas C. Platt
United States District Court
Eastern District of New York
Long Island Court House
1044 Federal Plaza
P.O. Box 9014
Central Islip, NY 11722-9014

Attn: Karen McMorrow

Re: Sleepy's, LLC ("Sleepy's") v. Select Comfort Wholesale Corporation 07 CV 4018 (TCP)

Dear Judge Platt:

We represent Plaintiff Sleepy's in this matter. The Court's May 2, 2011 Order denied Defendants' motion for summary judgment and denied Defendants' Daubert motion without prejudice to renew after the next status conference. To the best of our knowledge no status conference is currently scheduled. Accordingly, we respectfully request that the Court schedule a status conference at the Court's earliest convenience for the purpose of establishing a schedule for further pre-trial proceedings, including the submission of an Amended Joint Pretrial Order, and for the trial of this case.

Respectfully submitted,



George F. du Pont

cc: Andrew Hansen, Esq.